

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. §371U.S. APPLICATION NO.  
(if known, see 37 CFR 1.5)  
09/979,509International Application No.  
PCT/JP00/03373International Filing Date  
May 25, 2000Priority Date Claimed  
May 25, 1999Title of Invention  
MAG EXPRESSION PROMOTERS

Applicant(s) For DO/EO/US

Masakazu KAWASAKI; Nobuharu GOTOH; Yoshiharu HAYASHI; and Kazuyuki KAWASAKI

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. §371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. §371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. §371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. §371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. §371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. §371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3)).
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19.
9. ☒ An executed oath or declaration of the inventor(s) (35 U.S.C. §371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. §371(c)(5)).

Items 11. to 14. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☒ Other items or information: (a) copy of Notification of Missing Requirements under 35 U.S.C. § 371 in the United States Designated/Elected Office; (b) Form PCT/IB/306

U.S. APPLICATION NO. (if known, see 37 CFR 1.53)  
09/979,509

INTERNATIONAL APPLICATION NO.  
PCT/JP00/03373

ATTORNEY'S DOCKET NO.  
2001 1749A

15. ☒ The following fees are submitted

CALCULATIONS

PTO USE ONLY

**BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):**

Neither international preliminary examination fee nor international search fee paid to USPTO  
and International Search Report not prepared by the EPO or JPO ..... \$1040.00  
International Search Report has been prepared by the EPO or JPO ..... \$ 890.00  
International preliminary examination fee not paid to USPTO but international search  
paid to USPTO ..... \$ 740.00  
International preliminary examination fee paid to USPTO but claims did not satisfy provisions  
of PCT Article 33(1)-(4) ..... \$ 690.00  
International preliminary examination fee paid to USPTO and all claims satisfied provisions of  
PCT Article 33(1)-(4) ..... \$ 100.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

\$

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☒ 30 months from the earliest  
claimed priority date (37 CFR 1.492(e)).

\$130.00

Claims	Number Filed	Number Extra	Rate		
Total Claims	-20 =		X \$18.00	\$	
Independent Claims	- 3 =		X \$84.00	\$	
Multiple dependent claim(s) (if applicable)			+ \$280.00	\$	

**TOTAL OF ABOVE CALCULATIONS =**

\$130.00

☐ Small Entity Status is hereby asserted. Above fees are reduced by 1/2.

\$

**SUBTOTAL =**

\$130.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest  
claimed priority date (37 CFR 1.492(f)).

+

\$

**TOTAL NATIONAL FEE =**

\$

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an  
appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +

\$40.00

**TOTAL FEES ENCLOSED =**

\$170.00

03/12/2002 HINGUYEN 00000074 09979509

01 FC:154

130.00 OP

Amount to be refunded \$

Amount to be charged \$

- a. ☒ A check in the amount of \$170.00 to cover the above fees is enclosed. A duplicate copy of this form is enclosed.  
b. ☐ Please charge my Deposit Account No. 23-0975 in the amount of \$\_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.  
c. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 23-0975.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b))  
must be filed and granted to restore the application to pending status.

19. CORRESPONDENCE ADDRESS



000513

PATENT TRADEMARK OFFICE

By:

*Michael R. Davis*  
Michael R. Davis,  
Registration No. 25,134

WENDEROTH, LIND & PONACK, L.L.P.  
2033 "K" Street, N.W., Suite 800  
Washington, D.C. 20006-1021  
Phone: (202) 721-8200  
Fax: (202) 721-8250

March 5, 2002

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

[CHECK NO. 49152]

[2001\_1749A]